



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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LAURIE BURT
Commissioner

July 29, 2008

In the Matter of Teresa Hoeg Nigrelli

Docket No. 2008-104
DEP File RTN#4-258
Whitman

RECOMMENDED FINAL DECISION

In this case, the Petitioner Teresa Hoeg Nigrelli, Administratrix of the Estate of George F. Hoeg, appealed a Notice of Intent to Perfect Lien and Priority Lien ("Lien Notice") that the Boston Office of the Massachusetts Department of Environmental Protection ("MassDEP" or "the Department") issued to the Petitioner on May 29, 2008 pursuant to G.L. c. 21E, § 13 and 310 CMR 40.1250. The Lien Notice informed the Petitioner of the Department's intent to perfect the following liens pursuant to G.L. c. 21E, § 13 and 310 CMR 40.1250:

- (1) a priority lien on three (3) parcels of land owned by Decor Mfg., Inc. ("Decor") in Whitman, Massachusetts known and numbered as 602 Bedford Street; and
- (2) a lien on any all other land in Massachusetts owned by Decor.

On July 25, 2008, the Petitioner filed a written notice with MassDEP's Office of Appeals and Dispute Resolution ("OADR") withdrawing this appeal. Accordingly, I recommend that



MassDEP's Commissioner dismiss this appeal as moot.

NOTICE

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her Final Decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be appealed to Superior Court pursuant to M.G.L. c. 30A. The Commissioner's Final Decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this Recommended Final Decision or any part of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Salvatore M. Giorlandino
Acting Chief Presiding Officer